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1           **IT IS THEREFORE ORDERED** that Magistrate Judge McQuaid's Report  
2 and Recommendation (Doc. #50) is hereby AFFIRMED.

3           **IT IS FURTHER ORDERED** that Plaintiff Gregory D. Bolin's Objection  
4 (Doc. #57) to Magistrate Judge McQuaid's Report and Recommendation is  
5 OVERRULED.

6           **IT IS FURTHER ORDERED** Plaintiff Gregory D. Bolin's Motion for Partial  
7 Summary Judgment (Doc. #40) is DENIED.

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9 DATED: January 30, 2008.

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12 PHILIP M. PRO  
13 United States District Judge  
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